

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2004/001049

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

PATENT COOPERATION TREATY

From the:
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference M80692865:BGC:CT		Date of mailing (day/month/year) 30 AUG 2004 FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/AU2004/001049	International filing date (day/month/year) 6 August 2004	Priority date (day/month/year) 7 August 2003
International Patent Classification (IPC) or both national classification and IPC Int. Cl. ⁷ A21B 3/04, 1/44		
Applicant MOFFAT PTY LIMITED et al		

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer B. NGUYEN Telephone No. (02) 6283 2306
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Box No. V **Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	YES
	Claims 1 - 18	NO
Inventive step (IS)	Claims	YES
	Claims 1 - 18	NO
Industrial applicability (IA)	Claims 1 - 18	YES
	Claims	NO

2. Citations and explanations:

The following documents identified in the International Search Report have been considered for the purposes of this report:

D1 AU 38285/93

D2 AU 12348/95

D3 AU 28450/95

D4 DE 10044466

NOVELTY (N) Claims 1 - 18

The invention as claimed in independent claims 1, 8, 15 is anticipated by documents D1 to D4. See the following comparison of features as claimed in claim 1 against document D1. Document D1 discloses (refer to fig.5):

- A steam generation chamber (127B) located adjacent to one heating element (121) in an oven compartment.
- The steam generation chamber being closed at one end and having at least one steam outlet at the other end.
- At least one heat sink member (140) in the steam generation chamber.
- Steaming water pipe (134) having at least one nozzle operable to direct water into the steam generation chamber.

Features as claimed in claims 8 and 15 are also disclosed in document D1.

Dependent claims 2 to 7, 9 to 14 and 16 to 18 add features which are also disclosed in document D1.

Therefore, claims 1 to 18 do not meet the requirements of the PCT with respect to novelty.

INVENTIVE STEP (IS) Claims 1 - 18

These claims lack an inventive step for the reasons as outlined above.